

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In RE: Michele J. Bergman Leonard S. Bergman  Debtors  The Bank of New York Mellon FKA The Bank of New York, as Trustee for the Certificate holders of CWALT, Inc., Alternative Loan Trust 2006-OA11, Mortgage Pass-Through Certificates, Series 2006- OA11  Movant	Case No.:20-12276-MDC Chapter 13  Hearing Date: 2/15/2021 Hearing Time: 10:30 A.M.
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**DEBTOR'S RESPONSE TO MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

Now comes Michele J. Berman and Leonard S. Bergman ("Debtors") by and through their attorneys, Legal Aid of Southeastern Pennsylvania, and responds to the creditor's motion for relief filed by The Bank of New York Mellon on January 21, 2022 at Docket # 78 as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.
8. Admitted Debtor did not make payments. Debtor has been working to modify the mortgage payments and receive mortgage assistance payments.
9. Denied. Debtor will attempt to negotiate with secured creditor to determine if a payment arrangement outside of the Bankruptcy Plan or modification of the loan may be feasible. Alternatively, Debtor may modify Chapter 13 plan to include

post-petition arrears while maintaining ongoing obligations outside of plan. This amended plan will adequately protect the interest of the secured creditor.

10. Admitted.

11. Denied. Debtor will attempt to negotiate with secured creditor to determine if a payment arrangement outside of the Bankruptcy Plan or modification of the loan may be feasible. Alternatively, Debtor may modify Chapter 13 plan to include post-petition arrears while maintaining ongoing obligations outside of plan. This amended plan will adequately protect the interest of the secured creditor.

12. Denied. Relief from stay is not necessary to pursue forbearance agreement or loan modification.

13. Denied. Even if Movant is entitled to relief from the stay, the stay should not be terminated. The Court should grant less drastic relief by conditioning or modifying the stay. Debtor should be given the opportunity to modify her Chapter 13 plan to include payments on post-petition arrearages or otherwise communicate with Movant to cure the arrears outside the plan. Movant has not shown the irreparable harm necessary to justify lifting the stay or additional fees.

WHEREFORE, Debtor prays that the Movant's motion be dismissed.

Date: 4/24/2018

/s/ Robert N. Kim  
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